

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

U.S. DISTRICT COURT  
WAYCROSS, GA.

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JOHNNY STEVE CAPPS, )  
 )  
Plaintiff, )  
 )  
vs. ) CIVIL ACTION No. CV506-17  
 )  
MICHAEL J. ASTRUE, )  
Commissioner of Social )  
Security, )  
 )  
Defendant. )  
 )

O R D E R

Plaintiff has moved the Court for an award of attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), for Attorney Kathy D. Hackel's successful representation of Plaintiff in this action. (Doc. 23.) The Government has indicated that it has no opposition to the motion. Accordingly, Plaintiff's unopposed motion is **GRANTED**.

After reviewing counsel's supporting documentation, the Court concludes that an award of attorney's fees is appropriate. On February 21, 2007, pursuant to Sentence Four of 42 U.S.C. § 405(g), this Court remanded the case to the Commissioner for further proceedings. A Sentence Four remand constitutes a final judgment under which EAJA fees may be sought. Shalala v. Shaefer, 509 U.S. 292, 300-01, 113 S. Ct. 2625, 2631, 125 L. Ed. 2d 239 (1993); See also Newsome v. Shalala, 8 F.3d 775, 778 (11th Cir. 1993).

Ms. Hackel has submitted an affidavit showing that she expended 7.5 hours on this case. She requests attorney's fees for this amount multiplied by \$125.00 per hour, or a total award of \$937.50. The Court does not find the hourly rate or amount requested to be excessive. Accordingly, the Court **ORDERS** that attorney's fees be awarded in the amount of \$937.50.

SO ORDERED, this 18<sup>th</sup> day of May, 2007.



WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA